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June 21, 2002

VIA OVERNIGHT FEDERAL EXPRESS DELIVERY

Steve Wieland
WETSA Manager
Illinois Department of Central Management Services
726 South College Street
Springfield, Illinois 62704

Re: Wireless surcharge grants for zip codes 60514 and 60527

Dear Mr. Wieland:

Enclosed you will find an original and one copy of Southwest Central 9-1-1 System's ("SWC911") position letter regarding the captioned matter as well as an additional copy of this letter.

Please have a member of your staff file and time stamp the enclosed copies of this letter and SWC911's position letter, and return them to my office in the enclosed stamped, self-addressed envelope.

This letter will also confirm that copies of this letter and SWC911's position letter were also forwarded today by First Class U.S. Mail to Mr. Robert Heap and Ms. Nancy Hauptman.

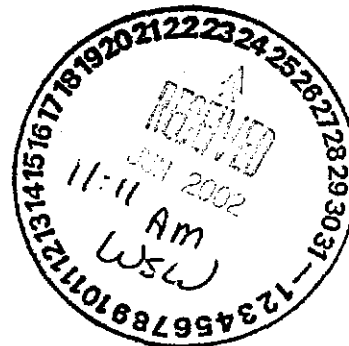
Very truly yours,

NEVILLE & MAHONEY

Ronald F. Neville
RONALD F. NEVILLE

RFN/m
Enclosures

cc: Director William D. Shanley
Chairman Robert Heap
Attorney Nancy Hauptman





SOUTHWEST CENTRAL 9-1-1 SYSTEM

7611 West College Drive • Palos Heights, IL 60463 • (708) 448-6180 • Fax (708) 448-9823

9-1-1

June 20, 2002

VIA OVERNIGHT FEDERAL EXPRESS DELIVERY

Steve Wieland
WETSA Manager
Illinois Department of Central Management Services
726 South College Street
Springfield, Illinois 62704

Re: Wireless surcharge grants for zip codes 60514 and 60527

Dear Mr. Wieland:

Reference Ms. Alice Engle's letter addressed to Director William D. Shanley and Chairman Robert Heap dated April 17, 2002, regarding the captioned matter. This writing constitutes Southwest Central 9-1-1 System's position letter required by Ms. Engle's letter.

Both DuPage County Emergency Telephone System Board ("DuPage ETSB") and Southwest Central 9-1-1 System, an Intergovernmental Cooperation Association as well as an Emergency Telephone System Board ("SWC911 ETSB"), do provide wireless 911 telephone service to areas within zip codes 60514 and 60527 and cannot agree to the division of the surcharge funds currently held and to be deposited in the Wireless Services Emergency Fund (50 ILCS 751/25) ("WSEF") pertaining to those two zip codes. In accordance with 50 ILCS 751/25, this dispute is to be initially resolved by the Illinois Department of Central Management Services ("CMS").

Zip code 60527 is comprised of unincorporated DuPage County (30 percent), the Village of Willowbrook ("Willowbrook") (39 percent) and the Village of Burr Ridge ("Burr Ridge") (31 percent). Zip code 60514 is comprised of unincorporated DuPage County (15 percent) and the Village of Clarendon Hills ("Clarendon Hills") (85 percent). DuPage ETSB does not dispute the above-referenced percentages for either zip code. (See paragraph 3 of DuPage ETSB's proposed wireless addendum attached hereto as Exhibit 9 as well as note 2 of this letter.)

DuPage ETSB takes the position it should receive 69 percent of the surcharge funds collected from zip code 60527, with the remaining 31 percent to be disbursed to Burr Ridge.¹ As to zip code 60514, DuPage states it should receive 100 percent of the surcharge funds. From the 69 percent DuPage asks to receive with regard to zip code 60527, DuPage ETSB would pay SWC911 ETSB approximately 33 percent of those funds to receive and dispatch the wireless 911 calls originating within Willowbrook.² From the 100 percent DuPage ETSB would receive with respect to zip code 60514, DuPage ETSB would pay SWC911 ETSB approximately 66 percent of that amount to dispatch the wireless 911 calls which emanate from the geographical borders of Clarendon Hills.

For all the reasons set out below, SWC911 ETSB posits it is entitled to 70 percent of the wireless surcharge funds collected from zip code 60527 and 85 percent of the wireless surcharge funds collected from zip code 60514.

Southwest Central Dispatch ("SWCD"), is an Intergovernmental Cooperation Association whose members are all units of local government that pay monthly assessments to SWCD for emergency and non-emergency dispatching services provided to their respective police and/or fire departments. SWC911 ETSB provides enhanced 911 wireline telephone service to its members and contract members. Clarendon Hills and Willowbrook are situated in DuPage County and both are members of SWCD. Because Clarendon Hills and Willowbrook are members of SWCD, each is entitled to receive enhanced wireline 911 telephone service as a contract member of SWC911 ETSB which, as explained below, has provided enhanced wireline 911 telephone service for all wireline 911 calls originating within the geographical boundaries of Willowbrook since 1992 and within the geographical borders of Clarendon Hills since 1993.

In 1987 Willowbrook became a member of SWCD and in 1991 became a contract member of SWC911 ETSB. In 1991, SWC911 ETSB filed its Wireline Plan with the Illinois Commerce Commission ("ICC") seeking ICC approval to directly receive and dispatch wireline 911 calls originating within the geographical boundaries of its members

¹Burr Ridge is a member of SWCD and a contract member of SWC911 ETSB. Pursuant to an agreement between Burr Ridge and SWC911 ETSB, SWC911 ETSB will provide enhanced wireless 911 telephone service for all wireless 911 calls originating within the geographical borders of Burr Ridge. In exchange for SWC911's aforesaid services, Burr Ridge has agreed and directed CMS to pay to SWC911 ETSB all wireless surcharge funds due Burr Ridge from Zip code 60527.

²Currently, all wireless 911 calls originating within the geographical borders of Willowbrook and Clarendon Hills are received by the DuPage County Sheriff and thereafter routed to SWC911 ETSB for dispatching. DuPage ETSB seeks to amend the existing contract between it and SWC911 ETSB under which SWC911 ETSB directly receives and dispatches all wireline 911 calls originating within the geographical borders of Willowbrook and Clarendon Hills with the wireless addendum attached as Exhibit 9. SWC911 ETSB will not agree to the wireless addendum for many reasons, including but not limited to, the addendum's provisions regarding the distribution of wireless surcharge funds and precluding SWC911 ETSB from directly receiving the wireless 911 calls from Willowbrook and Clarendon Hills.

*This is
not link
to CMS*

and contract members, including Willowbrook. On March 18, 1992, the Illinois Commerce Commission ("ICC") issued an Order of Authority (attached as Exhibit 1) acknowledging SWC911 ETSB as a 9-1-1 System and declaring SWC911 ETSB to be the primary PSAP for the jurisdictions identified in the order which included Willowbrook. In anticipation of the March 18, 1992 ICC order being issued, on April 18, 1991, at the request of Willowbrook and DuPage ETSB, SWC911 ETSB entered into a contract with DuPage ETSB (attached as Exhibit 2) wherein SWC911 ETSB agreed to provide wireline 911 telephone service for all wireline 911 calls originating within the geographical borders of Willowbrook.

*ICC
Willowbrook
in the footprint
of SWCD?*

In 1993, Clarendon Hills became a member of SWCD and contract member of SWC911 ETSB. In accordance with Clarendon Hills' and DuPage ETSB's request, SWC911 ETSB agreed to provide wireline 911 telephone service for all wireline 911 calls originating within the geographical boundaries of Clarendon Hills. Accordingly, the SWC911 ETSB/DuPage ETSB contract, which included only Willowbrook (Exhibit 2), was amended in June 1993 to add Clarendon Hills. The amended contract is attached as Exhibit 3. In 1993, based upon the amended SWC911/DuPage contract (Exhibit 3), both DuPage ETSB and SWC911 ETSB filed Wireline Plans with the ICC seeking to modify their respective 911 systems. DuPage ETSB sought to exclude Clarendon Hills from its service territory and SWC911 requested that Clarendon Hills be included in its service territory. On June 23, 1993, the ICC approved the modifications and issued its Order of Authority designating SWC911 ETSB as responsible for the wireline 911 calls originating within the geographical boundaries of Clarendon Hills. (See ICC Order of Approval issued on June 23, 1993 and attached hereto as Exhibit 4.)

*Amended contract
with a
contract?*

In accordance with the SWC911 ETSB/DuPage ETSB amended contract (Exhibit 3) and the ICC Orders of Authority (Exhibits 1 and 4), SWC911 ETSB has, since 1992 to the present time, provided wireline 911 telephone service for all wireline 911 calls originating within the geographical boundaries of Willowbrook. Likewise, since 1993 to the present time, SWC911 ETSB has supplied wireline 911 telephone service for all wireline 911 calls originating within the geographical borders of Clarendon Hills. These wireline 911 calls originating within Willowbrook and Clarendon Hills are directly received by SWC911 ETSB and dispatched from the inception of the call to the end of the emergency. Clarendon Hills' Fire Chief and Police Chief as well as Willowbrook's Police Chief are members of SWCD's and SWC911 ETSB's respective Executive Committees, which Committees oversee and approve the day-to-day operations of both SWCD and SWC911 ETSB in accordance with the By-Laws and policies established by SWCD's and SWC911 ETSB's respective Boards. In addition, Clarendon Hills' Fire Chief and Willowbrook's Police Chief are members of SWC911 ETSB's Board.

The amended contract (Exhibit 3) and the ICC Orders of Authority (Exhibits 1 and 4) are today in full force and effect and thus SWC911 ETSB is the only PSAP with legal authority to directly receive and dispatch the wireline 911 calls originating within the boundaries of Clarendon Hills and Willowbrook. The same authority dictates that DuPage ETSB is not authorized by the ICC to directly receive and dispatch the wireline 911 calls originating within the geographical areas of Clarendon Hills and Willowbrook.

In January, 2001, the ICC approved SWC911 ETSB's Wireless Plan and

authorized SWC911 ETSB to receive and dispatch all wireless 911 calls originating within the geographical boundaries of Willowbrook and Clarendon Hills. Attached as Exhibit 5 are the ICC letter of authorization and that portion of SWC911 ETSB's Wireless Plan identifying the communities from which SWC911 ETSB would receive and dispatch wireless 911 calls. Attached as Exhibit 6 is the ICC's letter approving DuPage ETSB's Wireless Plan as well as portions of DuPage ETSB's Plan which specifically states SWC911 ETSB and not DuPage ETSB will dispatch wireless 911 calls originating within Willowbrook and Clarendon Hills.

Under the aforesaid circumstances, CMS should distribute directly to SWC911 ETSB 85 percent of all the surcharge funds collected from zip code 60514 and 70 percent of the total surcharge funds collected from zip code 60527.

DuPage ETSB's argument in support of the distribution it has requested from the subject zip codes is as follows:³ The Illinois Legislature intended, as evidenced by the provisions of the Wireless Act, to direct CMS to pay wireless surcharge grants from all zip codes within any particular PSAP's wireline responsibility. This area of wireline responsibility is referred to by DuPage ETSB as a "footprint." DuPage ETSB's wireline "footprint," according to DuPage ETSB, includes Willowbrook and Clarendon Hills, since DuPage ETSB had the initial responsibility for those Villages' wireline 911 calls.⁴

DuPage ETSB's position simply has no merit. DuPage ETSB relinquished its responsibility for both Willowbrook and Clarendon Hills when it turned over that responsibility to SWC911 ETSB pursuant to the contract and amended contract (Exhibits 2 and 3) and submitted a Wireline Plan which caused the ICC to enter Orders of Authority designating SWC911 ETSB as the sole PSAP responsible for wireline 911 telephone service to both Clarendon Hills and Willowbrook. (Exhibits 1 and 4) The footprint which includes Clarendon Hills and Willowbrook comes from SWC911 ETSB's foot and not DuPage ETSB.

A review of the Wireless Emergency Telephone Safety Act, 50 ILCS 751/1 *et seq.*, ("Wireless Act") indicates the Illinois Legislature intended CMS to pay wireless surcharge funds to the PSAP which has the actual and current responsibility, as designated by the ICC, to directly receive and dispatch wireline 911 telephone calls for a geographical area within one or more zip codes. The wireline "footprint" is not what could have been, e.g. DuPage ETSB could have received and dispatched wireline 911 calls from Willowbrook and Clarendon Hills, but what actually occurred, i.e. SWC911 ETSB currently has the sole responsibility to directly receive and dispatch wireline 911 calls originating from Willowbrook and Clarendon Hills. Because SWC911 ETSB is the

³DuPage ETSB presented this argument during the informal hearing conducted on April 4, 2002, which was attended by officials/agents of CMS, ICC, DuPage ETSB and SWC911 ETSB.

⁴A review of the available transcripts of the Legislative debate over the Wireless Act reveals no support for DuPage ETSB's position that initial responsibility as opposed to actual, current responsibility is the benchmark for distribution by CMS.

only PSAP authorized by the ICC to directly receive and dispatch wireline 911 calls for Willowbrook and Clarendon Hills, and SWC911 ETSB is currently receiving and dispatching the wireless 911 calls originating in Willowbrook and Clarendon Hills in accordance with the authority granted to it by the ICC, SWC911 is entitled, as mandated by the intent of the Wireless Act, to receive the wireless grants attributable to Willowbrook and Clarendon Hills. This position is supported by Section 25 of the Wireless Act (50 ILCS 751/25) which clearly sought to resolve disputes involving overlapping jurisdiction by determining the current percentage of wireline access lines serviced by each PSAP involved in the dispute.⁵

The ICC has designated SWC911 ETSB as the PSAP to receive and dispatch wireless 911 calls emanating from Willowbrook and Clarendon Hills. Both Willowbrook and Clarendon Hills desire SWC911 ETSB to directly receive and dispatch all wireless 911 calls originating within their respective borders. See the Resolutions passed by both municipalities and attached hereto as Exhibits 7 and 8. Willowbrook and Clarendon Hills concur in SWC911 ETSB's position set out in this position letter and agree that SWC911 ETSB and not DuPage ETSB should receive the wireless surcharge funds collected from their communities. Willowbrook and Clarendon Hills are members of SWCD and contract members of SWC911 ETSB and want the associations to which they belong and financially support to directly receive and dispatch both their wireline and wireless 911 telephone calls. These governments demand seamless 911 telephone service from a single provider for both wireline and wireless 911 calls originating from within their boundaries. The Illinois Legislature intended that seamless 911 telephone service be provided throughout Illinois. Anything less defies common sense and poses a safety risk.⁶

For all the reasons stated herein, CMS must distribute to SWC911 ETSB 70 percent of the wireless surcharge funds deposited and to be deposited in the WSEF from zip code 60527, which represents the wireless surcharge funds collected and to be collected from Willowbrook and Burr Ridge. Also, CMS must distribute to SWC911 ETSB 85 percent of the wireless surcharge funds deposited and to be deposited in the WSEF from zip code 60514 representing the wireless surcharge funds collected and to be collected from Clarendon Hills. These wireless funds must be distributed directly to SWC911 ETSB and not first to DuPage ETSB to be transferred by DuPage ETSB to SWC911 ETSB.

⁵SWC911 ETSB recognizes that the Master Street Address Guide ("MSAG") is not capable of identifying each address in a particular area which has one for more access lines, but it would appear the drafter of the Wireless Act believed the MSAG would provide such detailed information. Accordingly, the intent of the Legislature was that the PSAP which currently receives and dispatches wireline 911 calls in a particular area should also receive and dispatch wireless 911 telephone calls for the same area and receive the surcharge grants attributable to that area.

⁶See both Resolutions attached as Exhibits 7 and 8 which state that routing wireless 911 calls to SWC911 ETSB originating in Willowbrook or Clarendon Hills by the DuPage Sheriff, instead of allowing SWC911 ETSB to directly receive those 911 emergency calls, will likely result in some callers being disconnected precluding SWC911 ETSB from ascertaining the type and location of the emergency from those disconnected callers.

Should you require any additional information, please notify me and I will provide it to you.

Very truly yours,



William D. Shanley
Secretary, Southwest Central 9-1-1 System

WDS/rn
Enclosures/Exhibits

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters, the undersigned certifies as aforesaid that he verily believes the same to be true.



William D. Shanley
Secretary, Southwest Central 9-1-1 System

cc: Mayor Gerald Bennett, Chairman, SWCD and SWC911 Board of Directors
Chief Brian Leahy, President, SWC911 Executive Committee
Chief Paul Madigan, President, SWCD Executive Committee
Mr. Bernard Oglietti, Village Administrator, Willowbrook
Mr. Joseph Breinig, Village Manager, Clarendon Hills
Mr. Robert Heap, Chairman, DuPage ETSB
Ms. Nancy Hauptman, Staff Attorney, DuPage ETSB

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

Southwest Central 9-1-1 System, :
Illinois :
 : 92-0069
Petition for approval of a 9-1-1 :
Emergency Telephone Number :
System. :

ORDER

By the Commission:

On March 2, 1992, the Southwest Central 9-1-1 System, Illinois ("Petitioner") filed a verified Petition with the Illinois Commerce Commission ("Commission") seeking authorization to operate an enhanced "9-1-1" emergency reporting system, served by Illinois Bell Telephone Company ("IBT").

In its Petition Petitioner requested a waiver of the hearing process in this matter and has submitted the requisite verified statements in support of its request. Notice of the filing was published in the Southtown Economist Newspaper on September 23, 24, 25, 26, 27, 29 and 30 and October 1, 2 and 3, 1991. The record shows that no objections were made to the Petition. The Commission, having reviewed the Petition and accompanying materials, grants Petitioner's request to waive a hearing on the proposed modified plan.

Recognizing that it was in the public interest to shorten the time required for a person to request and receive emergency aid, the Illinois Legislature enacted certain legislation entitled the Emergency Telephone System Act (the "Act"). The purpose of the Act is "to establish the number '9-1-1' as the primary emergency telephone number for use in this State and to encourage units of local government and combinations of such units to develop and improve emergency communication procedures and facilities in such a manner as to be able to quickly respond to any person calling the telephone number '9-1-1' seeking police, fire, medical, rescue, and other emergency services."

The Commission, with the advice and assistance of the Illinois Attorney General, is authorized to coordinate the implementation of systems established under the Act. In order to secure compliance with the technical and operational standards for the development of local agency systems, the Act empowers the Commission to approve or disapprove plans submitted by the public agencies.

Pursuant to the provisions of the Act, Petitioner submitted its plan for the implementation of an enhanced "9-1-1" emergency

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reporting system applicable to seven exchanges of IBT, listed in Exhibit 5 of the Petition. Appropriate participant agreements have been executed between Petitioner and the participating agencies.

The total land area for the proposed system is approximately 70.1 square miles and has an estimated population of 132,661. The proposed "9-1-1" emergency reporting system will serve all or part of the following agencies' territories:

no longer Blue Island Fire and Police Departments, Chicago Ridge Fire and Police Departments, Dixmoor Fire and Police Departments, Lemont Police Department, Palos Heights Police Department, Palos Hills Police Department, Palos Park Police Department, Posen Fire and Police Departments, Worth Fire and Police Departments, Willowbrook Police Department, Lemont Fire Protection District, Palos Fire Protection District, Palos Heights Fire Protection District, North Palos Fire Protection District, Illinois State Police Districts 2, 4, and 15, Cook County Sheriff, Will County Sheriff, DuPage County Sheriff, Moraine Valley Community College, Cook County Forest Preserve and Metropolitan Sanitary District. *leaving*

Petitioner proposes to maintain a PSAP at 7611 West College Drive, Palos Heights, Illinois. The system to be installed is an enhanced "9-1-1" system. Calls will be dispatched to the various public safety agencies identified in the preceding paragraph. In the event a call is received for any agency outside the jurisdictional boundaries of the participating agencies, the system will have the ability to transfer the call to the proper agency via radio communication or a telephone call to the respective agency.

The system will also employ Automatic Number Identification, Automatic Location Identification and Selective Routing and Forced Disconnect. These features will allow dispatch personnel to immediately identify the caller's telephone number and address in the event that the caller is unable to communicate information to dispatch telephone personnel.

The system is funded by a surcharge which was approved by the voters of the Communities to be served by Petitioner.

The Commission, having considered the entire record herein and being fully advised in the premises, is of the opinion and finds that:

- (1) Petitioner, Southwest Central 9-1-1 System, Illinois, is a public agency within the meaning of Section 2.01 of the Emergency Telephone System Act;

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- (2) the Commission, pursuant to the provisions of the Act, has jurisdiction over Petitioner and of the subject matter hereof;
- (3) the facts set forth in the prefatory portion of this Order are supported by the record and are hereby adopted as findings of fact;
- (4) the plan submitted by Petitioner for the implementation of a "9-1-1" emergency reporting system applicable to the service area previously identified is an enhanced system as specified by the Act; authorization should be granted for said plan to be put into service effective March 25, 1992 or as soon thereafter as practicable;
- (5) joint powers agreements, together with any amendments thereto, among public agencies within the "9-1-1" emergency reporting system, and among public agencies and public safety agencies which are part of different systems but whose jurisdictional boundaries are contiguous, should be entered into and copies thereof filed with this Commission and the Illinois Attorney General; certified notification of the continuation of such agreements should be made among the involved parties annually, and copies of the annual certified notification of continuing agreements should be filed with this Commission and the Illinois Attorney General prior to the 31st day of January of each succeeding year;
- (6) the authorization herein granted should be subject to Petitioner complying promptly with all rules and regulations relating to "9-1-1" emergency service promulgated or to be promulgated by the Commission;
- (7) rates for the "9-1-1" emergency service herein authorized should be the appropriate telephone public utility's applicable rates now in effect or such other rates as may be hereafter approved by the Commission.

IT IS THEREFORE ORDERED that the plan submitted by the Petitioner, Southwest Central 9-1-1 System, Illinois, for the implementation of a "9-1-1" emergency reporting system, applicable to the certain exchanges of Illinois Bell Telephone Company as identified in Exhibit 5 to the Petition, be, and it is hereby, authorized effective March 25, 1992 or as soon thereafter as practicable.

IT IS FURTHER ORDERED that the rates for said authorized service shall be the appropriate telecommunications carrier's

92-0069

applicable rates now in effect, or such other rates as may hereafter be approved by the Commission.

IT IS FURTHER ORDERED that the authorization herein granted is subject to petitioner complying promptly with all rules and regulations relating to "9-1-1" emergency service promulgated or to be promulgated by the Commission.

IT IS FURTHER ORDERED that joint powers agreements together with any amendments thereto, described in Finding (5) hereof, shall be entered into and copies thereof filed with this Commission and the Illinois Attorney General, certified notification of the continuation of such agreements shall be made annually among the involved parties, and copies of the annual certified notification of continuing agreements shall be filed with this Commission and the Illinois Attorney General prior to the 31st day of January of each succeeding year.

By Order of the Commission this 12th day of March, 1992.

(SIGNED) ELLEN C. CRAIG

Chairman

(S E A L)

RESOLUTION ETS-0004-91

CONTRACT BETWEEN THE SOUTHWEST CENTRAL 9-1-1 SYSTEM
AND THE DUPAGE COUNTY EMERGENCY TELEPHONE SYSTEM
BOARD FOR ENHANCED 9-1-1 EMERGENCY TELEPHONE SERVICE

2

WHEREAS, Illinois Revised Statutes, Chapter 134, Paragraph 45.3, provides that municipalities and counties are authorized to pass an ordinance to impose a monthly surcharge imposed on billed subscribers of network connection provided by telecommunication carriers engaged in the business of transmitting messages by means of electricity originating within the corporate limits of any municipality or county for the purpose of installing or improving a 9-1-1 Emergency Telephone Service; and,

WHEREAS, the majority of voters of the County of DuPage approved the question on April 4, 1989, to allow the residents within the corporate boundaries of the County of DuPage, to impose a monthly surcharge on billed subscribers of network connection provided by telecommunication carriers for purposes of installing or improving a 9-1-1 Emergency Telephone Service; and

WHEREAS, pursuant to the April 4, 1989, referendum, the County of DuPage has collected the 50 cent monthly surcharge imposed on billed subscribers of network connection provided by telecommunication carriers from the residents of the County of DuPage commencing November 1, 1989.

WHEREAS, the Village of Willowbrook is a member of the DuPage County Emergency Telephone System Board and Southwest Central Dispatch, an intergovernmental association; and

WHEREAS, the Southwest Central 9-1-1 System and the County of DuPage have determined that there presently exists a need for installing or improving the 9-1-1 Emergency Telephone System which will serve all the residents within the Village of Willowbrook; and

WHEREAS, the DuPage County Emergency Telephone System Board is desirous of obtaining E-9-1-1 emergency dispatch service from the Southwest Central 9-1-1 System on behalf of the Village of Willowbrook.

NOW, THEREFORE BE IT RESOLVED THAT, the Chairman of the DuPage County Emergency Telephone System Board is hereby authorized to enter into the Contract (attached hereto and made a part hereof); and

BE IT FURTHER RESOLVED THAT copies of the foregoing be sent to the Treasurer - ATTN: John Novak; Southwest Central 9-1-1 System, 7611 W. College Dr., Palos Heights, Ill. 60463-1008; DuPage County Emergency Telephone System Board c/o DuComm - ATTN: Ted Vratny; and Illinois Bell Telephone - ATTN: Ron Zook c/o DuComm.

Enacted this 18th day of April, 1991, in Wheaton, Illinois.



Robert Sauer, Chairman
DuPage County Emergency
Telephone System Board

ATTEST:


Ted Vratny, Secretary

CONTRACT BETWEEN THE SOUTHWEST CENTRAL 9-1-1 SYSTEM
AND THE DUPAGE COUNTY EMERGENCY TELEPHONE SYSTEM
BOARD FOR ENHANCED 9-1-1 EMERGENCY TELEPHONE SERVICE

THIS AGREEMENT is made and entered into this
18th day of April, 1991,
between the DUPAGE COUNTY EMERGENCY TELEPHONE SYSTEM BOARD,
an appointed board pursuant to statute, and SOUTHWEST
CENTRAL 9-1-1 SYSTEM, an intergovernmental cooperation
association.

WHEREAS, Illinois Revised Statutes, Chapter 134,
Paragraph 45.3, provides that municipalities and counties
are authorized to pass an ordinance to impose a monthly
surcharge imposed on billed subscribers of network
connection provided by telecommunication carriers engaged in
the business of transmitting messages by means of
electricity originating within the corporate limits of any
municipality or county for the purpose of installing or
improving a 9-1-1 Emergency Telephone Service; and,

WHEREAS, the majority of voters of the County of DuPage
approved the question on April 4, 1989, to allow the
residents within the corporate boundaries of the County of
DuPage, to impose a monthly surcharge on billed subscribers
of network connection provided by telecommunication carriers
for purposes of installing or improving a 9-1-1 Emergency
Telephone Service; and

WHEREAS, pursuant to the April 4, 1989, referendum, the
County of DuPage has collected the 50 cent monthly surcharge
imposed on billed subscribers of network connection provided
by telecommunication carriers from the residents of the
County of DuPage commencing November 1, 1989.

WHEREAS, the Village of Willowbrook is a member of the DuPage County Emergency Telephone System Board and a member of Southwest Central Dispatch, an intergovernmental cooperation association which provides combined public safety telecommunications communications. Southwest Central Dispatch and Southwest Central 9-1-1 System are separate intergovernmental associations; and

WHEREAS, Southwest Central Dispatch and the County of DuPage have determined that there presently exists a need for installing or improving the 9-1-1 Emergency Telephone System which will serve all the residents within the Village of Willowbrook; and

WHEREAS, the DuPage County Emergency Telephone System Board is desirous of obtaining E-9-1-1 emergency dispatch service from the Southwest Central 9-1-1 System on behalf of the Village of Willowbrook.

NOW, THEREFORE, based upon the above premises, the conditions set forth below and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. E-9-1-1 Service

The Southwest Central 9-1-1 System shall provide 9-1-1 emergency telephone service to the Village of Willowbrook and all of its residents within the boundaries of the Village of Willowbrook pursuant to the terms of this Agreement. For purposes of this provision, Enhanced 9-1-1 Emergency Telephone Service shall include, but it is not necessarily limited to, an Enhanced 9-1-1 System with ANI (Automatic Number Identification) and ALI (Automatic Location Identification) and Selective Routing, along with all equipment necessary for compliance with the provisions

*Contract to be
made with ETSB*

of 83 Illinois Administrative Code, Part 725, Standards of Service Applicable to 9-1-1 Emergency Systems (General Order 207). It is the intent of the parties hereto that the Village of Willowbrook shall not be a member of Southwest Central 9-1-1 System. However in accordance with this contract, Southwest Central 9-1-1-System will provide to the Village of Willowbrook the same services and equipment that it provides to the members of Southwest Central 9-1-1 System.

2. SURCHARGE

The DuPage County Emergency Telephone System Board, hereby agrees and authorizes the DuPage County Treasurer to transfer funds collected pursuant to the monthly surcharge imposed on billed subscribers of network connection provided by telecommunication carriers pursuant to the referendum approved by the voters of DuPage County on April 4, 1989, and within the Village of Willowbrook. Pursuant to the Ordinance (OFI-03a-89 enacted by the DuPage County Board on October 10, 1989) imposing the 50 cents per month on billed subscribers of network connection provided by telecommunications carriers and minus the 3% deducted from the gross amount of the surcharge collected to reimburse the telecommunications carriers for expenses, the DuPage County Emergency Telephone System Board shall remit at the rate of 32.5 cents per month on billed subscribers of network connection provided by telecommunications carriers commencing for collections made May 1, 1991, to the Southwest Central 9-1-1 System on a monthly basis for payment for 9-1-1 emergency services provided to the Village of Willowbrook.

3. COMPUTATION OF SURCHARGE

Computation of the funds collected pursuant to the monthly surcharge imposed on billed subscribers of

network connection telecommunications carriers in the Village of Willowbrook shall be based on the number of access lines in the Village of Willowbrook as of May 1, 1991. The computation of funds collected pursuant to the monthly surcharge imposed on billed subscribers of network connection on telecommunications carriers in the Village of Willowbrook shall be reviewed annually every August, commencing August 1, 1991, and every year thereafter. The basis of computation of funds shall be the Illinois Bell's records pertaining to the number of access lines in the Village of Willowbrook during the month of August. Any and all modifications to the computation of funds collected pursuant to the monthly surcharge in the Village of Willowbrook (based on increased or decreased number of access lines) shall take effect on December 1 of each year following the August 1 review. Said areas shall be updated to include any and all annexations to the Village of Willowbrook.

4. MASTER STREET ADDRESS GUIDE

The DuPage County Emergency Telephone System Board shall be responsible for maintenance of the master street address guide (MSAG) for the Village of Willowbrook.

5. ILLINOIS BELL MONTHLY LINE CHARGE AND INITIAL INSTALLATION COST

The DuPage County Emergency Telephone System Board shall also be responsible for payment of the monthly phone line charges and the initial installation costs from Illinois Bell Telephone to the DuPage County Emergency Telephone System Board on behalf of the Village of Willowbrook. In the event, the monthly phone line charges from Illinois Bell Telephone shall increase or decrease, the DuPage County Emergency

Telephone System Board reserves the right to request a modification to the terms of this Agreement pursuant to the provision of Paragraph 11 herein.

6. ANI, ALI, SELECTIVE ROUTING

The Southwest Central 9-1-1 System shall provide Automatic Number Identification (ANI), Automatic Location Identification (ALI) and Selective Routing to the Village of Willowbrook no later than the implementation date for Enhanced 9-1-1 for the majority of the members of the Southwest Central 9-1-1 System.

7. THIRD PARTY BENEFICIARY

The Southwest Central 9-1-1 System and the DuPage County Emergency Telephone System Board shall be governed by and comply with the terms of this Contract, and the parties hereto agree to take whatever action may be necessary to be so governed and to comply with the terms of this Contract. The Village of Willowbrook shall be a third party beneficiary hereto.

8. TERM

The term of this Contract shall be concurrent with the membership of the Village of Willowbrook in Southwest Central Dispatch. In the event, the Village of Willowbrook shall no longer be a member of Southwest Central Dispatch, this Contract shall be deemed null and void. All monies due and owing the Southwest Central 9-1-1 System shall be paid until the date certain upon which the Village of Willowbrook is no longer receiving E-9-1-1 dispatch service from the Southwest Central 9-1-1 System.

9. CANCELLATION AND TERMINATION

This contract may be cancelled by either party for any reason upon sixty (60) days written notice to the other

party. Said written notice shall be either delivered personally or mailed by certified mail, return receipt requested, to the party at its address set out in paragraph 10 of this contract (or amended address as provided for in paragraph 10). In the case of mailing, the date of mailing shall be deemed effective date notice was tendered in accordance with this paragraph. All monies due and owing Southwest Central 9-1-1 System shall be paid until the date certain upon which the Village of Willowbrook is no longer receiving E-9-1-1 dispatch service from the Southwest Central 9-1-1 System.

10. NOTICES

All notices under this contract from one party to the other shall be in writing and be personally delivered or mailed by certified mail, return receipt requested to the address listed below. In the case of mailing the date of mailing shall be deemed the effective date of notice under this contract.

DuPage County Emergency Telephone System Board
421 N. County Farm Road
Wheaton, Illinois 60187

Southwest Central 9-1-1 System
7611 W. College Drive
Palos Heights, Illinois 60463-1008

Either party may change the address it desires to receive notice under this contract by notifying the other party in writing either by personal delivery of notice or by mailing said notice by certified mail, return receipt requested.

11. EFFECTIVE DATE

This Agreement shall be effective when signed by the the DuPage County Emergency Telephone System Board and the Southwest Central 9-1-1 System. This Agreement may be modified only upon the consent of both the DuPage County Emergency Telephone System Board and the Southwest Central 9-1-1 System. In order for said modification to be effective, said modification must be in writing and signed by an authorized representative of the the DuPage Emergency Telephone System Board and an authorized representative of the Southwest Central 9-1-1 System.

IN WITNESS WHEREOF, the undersigned parties caused this Contract to be duly executed and attached herewith is a copy of the resolution of the DuPage County Emergency Telephone System Board authorizing the signing official to execute this Contract. This document may be signed in duplicate originals.

SIGNATURES

Southwest Central 9-1-1 System

By: Michael E. Rio
Title: Chairman

ATTEST:

By: Cynthia Barbera-Belle
Title: Secretary
Date: June 4, 1991

DuPage County Emergency
Telephone System Board

By: [Signature]
Title: Chairman, Emergency
Telephone System Board

ATTEST:

By: [Signature]
Title: Secretary
Date: April 18, 1991

RESOLUTION ETS-0001-93

CONTRACT BETWEEN THE SOUTHWEST CENTRAL 9-1-1 SYSTEM
AND THE DUPAGE COUNTY EMERGENCY TELEPHONE SYSTEM
BOARD FOR ENHANCED 9-1-1 EMERGENCY TELEPHONE SERVICE

WHEREAS, 50 ILCS 750/15.3, provides that municipalities and counties are authorized to pass an ordinance to impose a monthly surcharge imposed on billed subscribers of network connection provided by telecommunication carriers engaged in the business of transmitting messages by means of electricity originating within the corporate limits of any municipality or county for the purpose of installing or improving a 9-1-1 Emergency Telephone Service; and

WHEREAS, the majority of voters of the County of DuPage approved the question on April 4, 1989, to allow the residents within the corporate boundaries of the County of DuPage, to impose a monthly surcharge on billed subscribers of network connection provided by telecommunication carriers for purposes of installing or improving a 9-1-1 Emergency Telephone Service; and

WHEREAS, pursuant to the April 4, 1989, referendum, the County of DuPage has collected the 50 cent monthly surcharge imposed on billed subscribers of network connection provided by telecommunication carriers from the residents of the County of DuPage commencing November 1, 1989; and

WHEREAS, the Village of Willowbrook - Police Department is a member of the DuPage County Emergency Telephone System Board and Southwest Central Dispatch, an intergovernmental association; and

WHEREAS, the Village of Clarendon Hills - Police Department and Fire Department is a member of the DuPage County Emergency Telephone System Board and Southwest Central Dispatch, an intergovernmental association; and

WHEREAS, the Southwest Central 9-1-1 System and the County of DuPage have determined that there presently exists a need for installing or improving the 9-1-1 Emergency Telephone System which will serve all the residents within the Village of Willowbrook - Police Department and the Village of Clarendon Hills - Police Department and Fire Department; and

WHEREAS, the DuPage County Emergency Telephone System Board is desirous of obtaining E-9-1-1 emergency dispatch service from the Southwest Central 9-1-1 System on behalf of the Village of Willowbrook - Police Department and the Village of Clarendon Hills - Police Department and Fire Department.

NOW, THEREFORE BE IT RESOLVED THAT, the Chairman of the DuPage County Emergency Telephone System Board is hereby authorized to enter into the Contract (attached hereto and made a part hereof); and

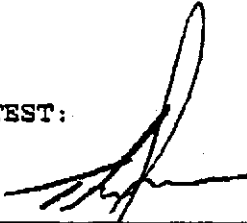
BE IT FURTHER RESOLVED THAT copies of the foregoing be sent to the Treasurer - ATTN: John Novak; Southwest Central 9-1-1 System, 7611 W. College Dr., Palos Heights, Ill. 60463-1008; DuPage County Emergency Telephone System Board 421 N. County Farm Road, Wheaton, Illinois 60187.

Enacted this 20 day of May, 1993, in Wheaton, Illinois.

Barbara R. Purcell

Barbara R. Purcell, Chairman
DuPage County Emergency
Telephone System Board

ATTEST:



Thomas Jahaes, Secretary

**CONTRACT BETWEEN THE SOUTHWEST CENTRAL 9-1-1 SYSTEM
AND THE DUPAGE COUNTY EMERGENCY TELEPHONE SYSTEM
BOARD FOR ENHANCED 9-1-1 EMERGENCY TELEPHONE SERVICE**

THIS AGREEMENT is made and entered into this first day of June, 1993, between the DUPAGE COUNTY EMERGENCY TELEPHONE SYSTEM BOARD, an appointed board pursuant to statute, and SOUTHWEST CENTRAL 9-1-1 SYSTEM, an intergovernmental cooperation association.

WHEREAS, 50 ILCS 750/15.3, provides that municipalities and counties are authorized to pass an ordinance to impose a monthly surcharge imposed on billed subscribers of network connection provided by telecommunication carriers engaged in the business of transmitting messages by means of electricity originating within the corporate limits of any municipality or county for the purpose of installing or improving a 9-1-1 Emergency Telephone Service; and,

WHEREAS, the majority of voters of the County of DuPage approved the question on April 4, 1989, to allow the residents within the corporate boundaries of the County of DuPage, to impose a monthly surcharge on billed subscribers of network connection provided by telecommunication carriers for purposes of installing or improving a 9-1-1 Emergency Telephone Service; and

WHEREAS, pursuant to the April 4, 1989, referendum, the County of DuPage has collected the 50 cent monthly surcharge imposed on billed subscribers of network connection provided by telecommunication carriers from the residents of the County of DuPage commencing November 1, 1989.

WHEREAS, the Village of Willowbrook - Police Department is a member of the DuPage County Emergency Telephone System Board and the Village of Willowbrook is a member of Southwest Central Dispatch, an intergovernmental cooperation association which provides combined public safety telecommunications communications to its members and provides public safety telecommunications for the Village of Willowbrook's Police Department. Southwest Central Dispatch and Southwest Central 9-1-1 System are separate and distinct intergovernmental associations; and

WHEREAS, the Village of Clarendon Hills - Police Department and Fire Department is a member of the DuPage County Emergency Telephone System Board and the Village of Clarendon Hills is a member of Southwest Central Dispatch, an intergovernmental cooperation association which provides combined public safety telecommunications to its members and provides public safety telecommunications for the Village of Clarendon Hills' Police Department and Fire Department. Southwest Central Dispatch and Southwest Central 9-1-1 System are separate and distinct intergovernmental associations; and

WHEREAS, Southwest Central Dispatch and the County of DuPage have determined that there presently exists a need for installing or improving the 9-1-1 Emergency Telephone System which will serve all

the residents within the Village of Willowbrook - Police Department and the Village of Clarendon Hills - Police Department and Fire Department; and

WHEREAS, the DuPage County Emergency Telephone System Board is desirous of obtaining E-9-1-1 emergency dispatch service from the Southwest Central 9-1-1 System on behalf of the Village of Willowbrook - Police Department and the Village of Clarendon Hills - Police Department and Fire Department.

NOW, THEREFORE, based upon the above premises, the conditions set forth below and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. RESCISSION RESOLUTION BTS-004-91
Resolution BTS-004-91, dated April 18, 1991, is hereby rescinded.
2. E-9-1-1 SERVICE
The Southwest Central 9-1-1 System shall provide enhanced 9-1-1 emergency telephone service to the Village of Willowbrook and all of its residents within the boundaries of the Village of Willowbrook, and to the Village of Clarendon Hills and all of its residents within the boundaries of the Village of Clarendon Hills pursuant to the terms of this Agreement. For purposes of this provision, Enhanced 9-1-1 Emergency Telephone Service shall include, but it is not necessarily limited to, an Enhanced 9-1-1 System with ANI (Automatic Number Identification) and ALI (Automatic Location Identification) and Selective Routing, along with all equipment necessary for compliance with the provisions of 83 Illinois Administrative Code, Part 725, Standards of Service Applicable to 9-1-1 Emergency Systems (General Order 207) as now enacted or hereafter amended. It is the intent of the parties hereto that the Village of Willowbrook and the Village of Clarendon Hills shall not be members of Southwest Central 9-1-1 System. However in accordance with this contract, Southwest Central 9-1-1 System will provide to the Village of Willowbrook and the Village of Clarendon Hills the same services and equipment that it provides to the members of Southwest Central 9-1-1 System.
3. SURCHARGE
The DuPage County Emergency Telephone System Board, hereby agrees and authorizes the DuPage County Treasurer to transfer funds collected pursuant to the monthly surcharge imposed on billed subscribers of network connection provided by telecommunication carriers pursuant to the referendum approved by the voters of DuPage County on April 4, 1989, and within the Village of Willowbrook and the Village of Clarendon Hills. Pursuant to the Ordinance (OFI-03a-89 enacted by the DuPage County Board on October 10, 1989) imposing the 50 cents per month on billed subscribers of network connection provided by telecommunications carriers and minus the 3¢ deducted from the gross amount of the surcharge collected to reimburse the

telecommunications carriers for expenses, the DuPage County Emergency Telephone System Board shall remit at the rate of 15 cents for the Village of Willowbrook Police Department and 32 cents for the Village of Clarendon Hills Police Department and Fire Department per month on billed subscribers of network connection provided by telecommunications carriers commencing for collections made June 1, 1993, to the Southwest Central 9-1-1 System on a monthly basis for payment for 9-1-1 emergency services provided to the Village of Willowbrook and Village of Clarendon Hills. The rate of payments shall be modified in the event Illinois Bell Telephone increases the access line charge per 1,000 lines of network connection. As of June 1, 1993, the access charge per 1000 lines of network connection is \$150.00 or 15 cents per line.

3. COMPUTATION OF SURCHARGE

Computation of the funds collected pursuant to the monthly surcharge imposed on billed subscribers of network connection telecommunications carriers in the Village of Willowbrook and the Village of Clarendon Hills shall be based on the number of access lines in the Village of Willowbrook and the Village of Clarendon Hills as of August 1, 1992. The computation of funds collected pursuant to the monthly surcharge imposed on billed subscribers of network connections on telecommunications carriers in the Village of Willowbrook and Village of Clarendon Hills shall be reviewed annually every August, commencing August 1, 1993, and every year thereafter. The computation of funds shall be based upon Illinois Bell's records pertaining to the number of access lines in the Village of Willowbrook and the Village of Clarendon Hills during the month of August. Any and all modifications to the computation of funds collected pursuant to the monthly surcharge in the Village of Willowbrook and Village of Clarendon Hills (based on increased or decreased number of access lines) shall take effect on December 1 of each year following the August 1 review. Said areas shall be updated to include any and all annexations to the Village of Willowbrook and the Village of Clarendon Hills.

5. MASTER STREET ADDRESS GUIDE

The Southwest Central 9-1-1 System shall be responsible for maintenance of the master street address guide (MSAG) for the Village of Willowbrook and the Village of Clarendon Hills.

6. ILLINOIS BELL MONTHLY LINE CHARGE AND INITIAL INSTALLATION COST

The DuPage County Emergency Telephone System Board shall also be responsible for payment of the monthly phone line charges and the initial installation costs from Illinois Bell Telephone to the DuPage County Emergency Telephone System Board on behalf of the Village of Willowbrook and the Village of Clarendon Hills. In the event, the monthly phone line charges from Illinois Bell Telephone shall increase or decrease, the DuPage County Emergency Telephone System Board reserves the right to request a modification to the terms of this Agreement pursuant to the terms specified herein and in paragraph 12.

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7. ANI, ALI, SELECTIVE ROUTING

The Southwest Central 9-1-1 System shall provide Automatic Number Identification (ANI), Automatic Location Identification (ALI) and Selective Routing to the Village of Willowbrook and the Village of Clarendon Hills no later than the implementation date for Enhanced 9-1-1 for the majority of the members of the Southwest Central 9-1-1 System.

8. THIRD PARTY BENEFICIARY

The Southwest Central 9-1-1 System and the DuPage County Emergency Telephone System Board shall be governed by and comply with the terms of this Contract, and the parties hereto agree to take whatever action may be necessary to be so governed and to comply with the terms of this Contract. The Village of Willowbrook and the Village of Clarendon Hills shall be a third party beneficiary hereto.

9. TERM

The term of this Contract shall be concurrent with the membership of the Village of Willowbrook and the Village of Clarendon Hills in Southwest Central Dispatch. In the event, the Village of Willowbrook and/or the Village of Clarendon Hills shall no longer be members of Southwest Central Dispatch, this Contract shall be deemed null and void. All monies due and owing the Southwest Central 9-1-1 System shall be paid until the date certain upon which the Village of Willowbrook and/or the Village of Clarendon Hills are no longer receiving E-9-1-1 dispatch service from the Southwest Central 9-1-1 System.

10. CANCELLATION AND TERMINATION

This contract may be cancelled by either party for any reason upon sixty (60) days written notice to the other party. Said written notice shall be either delivered personally or mailed by certified mail, return receipt requested, to the party at its address set out in paragraph 12 of this contract (or amended address as provided for in paragraph 12). In the case of mailing, the date of mailing shall be deemed effective date notice was tendered in accordance with this paragraph. All monies due and owing Southwest Central 9-1-1 System shall be paid until the date certain upon which the Village of Willowbrook and/or the Village of Clarendon Hills are no longer receiving E-9-1-1 dispatch service from the Southwest Central 9-1-1 System.

11. INSURANCE AND INDEMNIFICATION

Southwest Central 9-1-1 System shall cause DuPage County Emergency Telephone System Board and the County of DuPage to be named as additional insureds on the insurance policy maintained by Southwest Central 9-1-1 System to insure against liability to third persons for the operation of the Emergency 9-1-1 Telephone System operated by Southwest Central 9-1-1 System.

12. NOTICES

All notices under this contract from one party to the other shall be in writing and be personally delivered or mailed by certified mail, return receipt requested to the address listed below. In the case of mailing the date of mailing shall be deemed the effective date of notice under this contract.

DuPage County Emergency Telephone System Board
421 N. County Farm Road
Wheaton, Illinois 60187

Southwest Central 9-1-1 System
7611 W. College Drive
Palos Heights, Illinois 60463-1008

Either party may change the address it desires to receive notice under this contract by notifying the other party in writing either by personal delivery of notice or by mailing said notice by certified mail, return receipt requested.

13. EFFECTIVE DATE

This Agreement shall be effective when signed by the the DuPage County Emergency Telephone System Board and the Southwest Central 9-1-1 System and the modification approved by the Illinois Commerce Commission. This Agreement may be modified only upon the consent of both the DuPage County Emergency Telephone System Board and the Southwest Central 9-1-1 System. In order for said modification to be effective, said modification must be in writing and signed by an authorized representative of the the DuPage Emergency Telephone System Board and an authorized representative of the Southwest Central 9-1-1 System.

IN WITNESS WHEREOF, the undersigned parties caused this Contract to be duly executed and attached herewith is a copy of the resolution of the DuPage County Emergency Telephone System Board authorizing the signing official to execute this Contract. This document may be signed in duplicate originals.

SIGNATURES

Southwest Central 9-1-1 System

By: James L. Bennett

Title: Chairman

Date: May 1, 1993DuPage County Emergency Telephone
System BoardBy: Barbara R. PurcellTitle: Chairman, Emergency Telephone
System BoardDate: May 20, 1993

ATTEST:

By: Cynthia A. McKenna-Bell

Title: Secretary

Date: May 9, 1993

ATTEST:

By: [Signature]

Title: Secretary

Date: May 20, 1993